

Attorney's Docket No.: 06618-604002 / CIT 3186-C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 12 2004

Applicant : Subra Suresh et al. Art Unit : 2878
Serial No.: 10/630,512 Examiner : Que T. Le
Filed : July 29, 2003
Title : SYSTEMS FOR MEASURING STRESSES IN LINE FEATURES
FORMED ON SUBSTRATES (AS AMENDED)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(b)

The CALIFORNIA INSTITUTE OF TECHNOLOGY certifies it is the assignee of the entire right, title, and interest U.S. Patent No. 6,600,565 by virtue of an assignment recorded in the Patent and Trademark Office at Reel 011160, Frame 0833 on September 29, 2000. A copy of the recordation document is attached for your reference. The CALIFORNIA INSTITUTE OF TECHNOLOGY also certifies that it is the assignee of the entire right, title, and interest in the above-identified application No. 10/630,512 by virtue of the same recorded assignment identified above because the application No. 10/630,512 is a continuing application of a prior application No. 09/560,719 from which the U.S. Patent No. 6,600,565 was granted.

The undersigned has reviewed all the documents in the chain of title of the subject matter of the above-identified application and to the best of undersigned's knowledge and belief, the title is in CALIFORNIA INSTITUTE OF TECHNOLOGY.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

October 12, 2004

Date of Transmission

Signature

S. Gebhart

Name of Person Signing Certificate

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The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the subject matter claimed in above identified application No. 10/630,512 subsequent to the expiration date of U.S. Patent No. 6,600,565, whereby the patent granted on the subject matter of the above identified application 10/630,512 and U.S. Patent No. 6,600,565 will expire on the same day, provided that any patent granted on the subject matter of the above identified application No. 10/630,512 shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,600,565.

The assignee identified above does not disclaim any terminal part of any patent granted on the subject matter of the above identified application No. 10/630,512 prior to the expiration date of the full statutory term of U.S. Patent No. 6,600,565 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,600,565.

This disclaimer runs with any patent granted on the subject matter of the above application No. 10/630,512 and is binding upon the grantee, its successors or assigns.

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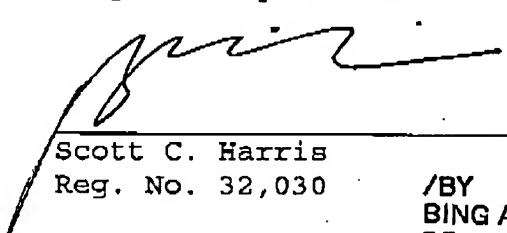
Please charge any applicable fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 06618-604002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: October 12, 2004

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